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PATENT APPLICATION



IN THE U.S. PATENT AND TRADEMARK OFFICE

October 23, 2008

Applicant(s): Jakob MAIER, Jr., et al

For: TEAT RUBBER

Serial No.: 10/587 620 ✓ Group: 3643

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Commissioner for Patents
P.O. Box 1450
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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

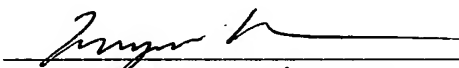
In response to the Restriction Requirement dated September 23, 2008, Applicants elect Group II, claims 40-50, with traverse. The Examiner is respectfully requested to reconsider the restriction requirement in that a search for the elected invention would necessarily entail the search for the non-elected invention.

With respect to the object sought by the present invention, i.e. to create sufficient pressure on the teat in order to insure a highly efficient milking operation, both technical features referred to in Group I and in Group II represent a solution to the object and provide the same technical effect. As such, both of the groups represent alternatives wherein a linked, common inventive concept is to be seen in the creation of sufficient pressure and adhesion to the teat in the entire milking procedure. This is explicitly referred to in claim 1 where it is set forth that the adhesion

between the teat and the teat rubber is increased without effecting the milking process. Similarly, the conically tapering part of the insertion opening provides for an enhanced pressure and attachment to the teat, while additionally preventing undue pressure at the upper portion of the udder, even if the milking cup shifts in the upward direction during the milking process. Therefore, at least enhanced adhesion and an increased sealing effect is obtained by the adhesion element and the conically tapering part of the insertion opening without negatively effecting the milking procedure. For these reasons, it is felt that both Groups of the invention are linked by a common inventive concept and a restriction to either one of these groups would unduly limit the scope of the present invention.

Favorable consideration is respectfully solicited.

Respectfully submitted,


Terryence F. Chapman

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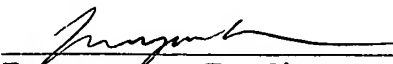
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